

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHADY HANAFY,
Plaintiff,

v.

HILL INTERNATIONAL, INC.,
Defendant.

CIVIL ACTION

NO. 22-878

ORDER

AND NOW, this 19th day of April, 2023, upon consideration of Defendant's Motion for Summary Judgment (ECF Nos. 25, 29) and Plaintiff's response thereto (ECF No. 28), **IT IS HEREBY ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. With respect to Count I (pursuant to the ADA):
 - a. Summary judgment is **DENIED** with respect to Plaintiff's disparate treatment claim.
 - b. Summary judgment is **GRANTED** with respect to Plaintiff's hostile work environment, retaliation, and failure to accommodate claims.
2. With respect to Count II (pursuant to the FMLA):
 - a. Summary judgment is **GRANTED** with respect to both Plaintiff's interference and retaliation claims.
3. With respect to Count III (pursuant to the ADEA):
 - a. Summary judgment is **DENIED**.
4. With respect to Count IV (pursuant to Title VII):
 - a. Summary judgment is **DENIED** with respect to Plaintiff's disparate treatment claim.
 - b. Summary judgment is **GRANTED** with respect to Plaintiff's hostile work environment and retaliation claims.

5. With respect to Count V (pursuant to 42 U.S.C. § 1981):
 - a. Summary judgment is **DENIED** with respect to Plaintiff's disparate treatment claim.
 - b. Summary judgment is **GRANTED** with respect to Plaintiff's retaliation claim.
6. With respect to Count VI (pursuant to the PHRA):
 - a. Summary judgment is **DENIED** to the extent Plaintiff's PHRA claim is predicated on the same theories underlying Plaintiff's disparate treatment claims pursuant to the ADA, ADEA, Title VII, and Section 1981.
 - b. Summary judgment is **GRANTED** to the extent Plaintiff's PHRA claim is predicated on the same theories underlying Plaintiff's hostile work environment, retaliation, failure to accommodate, and FMLA interference claims.

BY THE COURT:

/S/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.